

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

MICHAEL AYERS,

Plaintiff,

Case No. 3:20-cv-472

vs.

COMMISSIONER OF THE SOCIAL  
SECURITY ADMINISTRATION,

District Judge Michael J. Newman  
Magistrate Judge Sharon L. Ovington

Defendant.

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**ORDER: (1) ADOPTING THE REPORT AND RECOMMENDATION OF THE  
UNITED STATES MAGISTRATE JUDGE (DOC. NO. 12); (2) DISMISSING THIS CASE  
UNDER FED. R. CIV. P. 41(b); AND (3) TERMINATING THIS CASE ON THE  
DOCKET**

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This Social Security appeal is before the Court on the Report and Recommendation issued by United States Magistrate Judge Sharon L. Ovington (Doc. No. 12), to whom this case was referred pursuant to 28 U.S.C. § 636(b). Judge Ovington recommended that Plaintiff's complaint be dismissed for non-prosecution under Fed. R. Civ. P. 41(b). Neither party objected to the Report and Recommendation.

Upon careful *de novo* consideration of the foregoing, the Court determines that the Report and Recommendation should be adopted. Accordingly, it is hereby **ORDERED** that: (1) the Report and Recommendation is **ADOPTED** in full (Doc. No. 12); (2) Plaintiff's case is **DISMISSED** for non-prosecution under Fed. R. Civ. P. 41(b); and (3) this case is **TERMINATED** on the docket.

**IT IS SO ORDERED.**

Date: 10/25/2021

s/ Michael J. Newman  
Hon. Michael J. Newman  
United States District Judge